

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**Clerk's Minutes  
Before the Honorable Robert C. Brack**

**CASE NO.** 13cv193 RB/KK

**DATE:** October 2, 2014

**Time in court: 11 minutes**

**TITLE:** O'Rourke v Northern NM College et al

**COURTROOM CLERK:**

**Jessica Chavez**

**COURT REPORTER:**

**Vanessa Alyce**

( ) Albuquerque (X) Las Cruces ( ) Santa Fe ( ) Roswell

( ) Bench warrant ordered

**INTERPRETER:** none

**ATTORNEYS PRESENT FOR PLAINTIFF(S):**

**Samuel Wolf (telephonic)**

**ATTORNEYS PRESENT FOR DEFENDANT(S):**

**Joseph Romero (telephonic)**

**TYPE OF PROCEEDING:**

**Initial Pretrial Conference**

**PROCEEDINGS:**

8:31 a.m. Court in session

Court – here on initial pretrial conference. Final pretrial conference set on 11/6/14. Trial is currently set on December 1-4, 2014. How many days for trial needed?

Mr. Wolf - plaintiff side should take 2 days.

Mr. Romero – 4 days sufficient for trial.

Court- another civil trial and criminal trial set the same week. Court will keep counsel posted.

Settlement conference held, no dispositive motions filed.

Mr. Wolf - submitted discovery requests. Between august 29 and yesterday, received many documents as to complaints. Late disclosure. Concern with additional discovery. Second issue because trial was moved from Abq to LC, many witnesses live in Espanola. Quite a distance to travel for many witnesses.

Court – visit with counsel and Judge khalsa if necessary as to discovery issue.. If opening discovery at this point, December trial date may not be feasible. As to trial in Las Cruces, options are seeing if Magistrate Judge or District Judge can hear the case in Albq., Or once pinned down date for trial, this Court may be

able to travel to Albq.

Mr. Romero – Mr. Wolf request to dispose witness. Mr. Romero no objection to deposition.

Court – Final pretrial conference on November 6<sup>th</sup>, The court will have more clarity as to December trial date.

8:42 a.m. Court in recess.